Remarks

Claims 1-21 are at issue. Claims 1-21 stand rejected under 35 USC 101 as being directed to non-statutory subject matter. Claims 8 & 9 stand rejected under 35 USC 112, second paragraph. Claims 1-21 stand rejected under 35 USC 102(e) as being anticipated by Ye et al (US Pat. Pub. 2004/0083242).

Drawings

Reference numeral 60 is discussed on page 6, line 25.

Specification

As explained on page 6, lines 10-11 the transformer program is a transformer document. FIG. 5 is an example of a transformer document or program. The applicants disagree that any change is necessary.

Line 5 of page 6 of the specification states the "output may be a streamed XML 34 or an XML system." This is correct and consistent. The output may be streamed or it may be a file. This is perfectly clear to those skilled in the are and no change is necessary.

35 USC 101

The present application is directed to technology that solves a problem that costs US corporations millions of dollars every year. The absurdity of the Examiner's suggestion that the present application is non-statutory is beyond description. The present invention is a process that has a tangible result worth "millions of dollars" annually for US corporations. The tangible result is to have data in a first format converted to a second more useful format. This process involves the physical process of electronic switches being closed and opened to form a new set of stored charges. This rejection is arbitrary and capricious and wastes the applicant's and PTOs resources. In addition, this position on the part of the PTO is bad for the US economy and the on the wrong side of history. This rejection must be withdrawn.

35 USC 112, second paragraph

Claims 8 & 9 have been amended to overcome the informalities.

35 USC 102

Claim 1 requires the transformer program have a plurality of executable statements. Many prior text conversion systems do not have executable statements. There is no discussion in Ye as to whether the Unidex system used executable statements. Thus the Examiner is just speculating. In addition, the claim requires that the XML document not contain every element that was in the input text. Again Ye does not discuss this. As a result, the Examiner is just speculating. Claim 1 is allowable.

Claims 2-7are allowable as being dependent upon an allowable base claim.

Claim 8 requires a "match command". The Examiner points to paragraph 10. However, Ye is stating that the prior art can only work where key words match. There is no description of a "match command" that allows actions if a match is not found. Claim 8 is allowable.

Claim 9 requires the "text to XML commands" include a tree hierarchy. The Examiner's suggestion that XML inherently has a tree structure while correct is irrelevant – this says nothing about the "text to XML commands". For instance the conversion program could be written in C commands that do not have a tree structure. Claim 9 is clearly allowable.

Claim 10 requires the input be a streaming text. The Examiner points to paragraph 184 of Ye, which never mention streaming. Not all conversion systems are capable of handling streaming data and there is no suggestion in Ye that he can handle streaming data. Claim 10 is clearly allowable.

Claim 11 is allowable for the same reasons as claim 10.

Claim 12 requires a wizard to define the transformer program. The Examiner points to paragraph 77. However, this paragraph does not discuss a transformer program or a wizard to help setup the transformer program.

Claim 13 is allowable as being dependent upon an allowable base claim.

Claim 14 requires the transformer program have a plurality of executable statements. Many prior text conversion systems do not have executable statements. There is no discussion in Ye as to whether the Unidex system used executable statements. Thus the Examiner is just speculating. In addition, claim 14 requires a "match command". The Examiner points to paragraph 10. However, Ye is stating that the prior art can only work where key words match. There is no description of a "match command" that allows actions if a match is not found. In addition, claim 14 requires the input be a streaming text. The Examiner points to paragraph 184 of Ye, which never mention streaming. Not all conversion systems are capable of handling streaming data and there is no suggestion in Ye that he can handle streaming data. Claim 14 is clearly allowable.

Claim 15 requires a wizard. The Examiner points to paragraph 77. However, this paragraph does not discuss a wizard. Claim 15 is allowable.

Claim 16 requires selecting a field separator command. Ye never discusses a field separator command. Claim 16 is allowable.

Claims 17-18 are allowable as being dependent upon an allowable base claim.

Claim 19 requires the transformer program have a plurality of executable statements. Many prior text conversion systems do not have executable statements. There is no discussion in Ye as to whether the Unidex system used executable statements. Thus the Examiner is just speculating. Claim 19 requires a wizard. The Examiner points to paragraph 77. However, this paragraph does not discuss a wizard. Claim 19 is allowable.

Claim 20 requires a section command. Ye never discusses a section command and the Examiner has not attempted to point to any part of Ye to show this. Claim 20 is allowable.

Claim 21 is allowable as being dependent upon an allowable base claim.
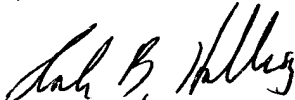

Ye

While Ye is concerned with data conversion, he uses data location to find the data (See paragraph 96). This is inherently not possible with streaming data where the

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location cannot be predicted. Because the location feature is used to define where the data is located (see paragraph 108) Ye is only applicable to data presented in a display format. The present application is concerned with data in a file or streamed, not in a display format. Ye would not be capable of solving the problem addressed by the present application, since the data to be converted is never in a "location" or presentation format. These difference are clearly pointed out in the claims.

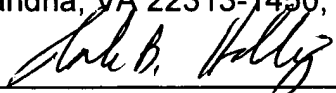Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

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I hereby certify that an ___Response___ is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P.O. Box 1450 Alexandria, VA 22313-1450, on:

5/18/06
_____
Date

_____
Signature (Dale Halling)